

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Altony Brooks,)	C/A No. 9:15-3691-PMD
)	
Plaintiff,)	
)	Order
vs.)	
)	
South Carolina Department of Corrections, et al)	
)	
Defendants.)	
)	

This matter is before the Court due to Plaintiff's failure to comply with the magistrate judge's Order of November 13, 2015. (Docket Entry 7).

A review of the record indicates that the magistrate judge ordered Plaintiff to submit items needed to render this case into proper form within twenty-one days, and specifically informed Plaintiff that if he failed to do so, this case would be dismissed *without prejudice*. The mail in which the Order was sent to Plaintiff at the address provided when the case was filed has not been returned to the Court, indicating that Plaintiff received his copy of the Order. Plaintiff has failed to respond to the magistrate judge's Order, the time for compliance has now passed, and this case should be dismissed. *See* Fed.R.Civ.P. 41(b)(district courts may dismiss an action if a plaintiff fails to comply with "any order of the court."); *see also Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989)(dismissal with prejudice appropriate where warning given); *Chandler Leasing Corp. v. Lopez*, 669 F.2d 919, 920 (4th Cir. 1982)(court may dismiss *sua sponte*).

Accordingly, this case is dismissed *without prejudice*.

IT IS SO ORDERED.



PATRICK MICHAEL DUFFY
United States District Judge

February 4, 2016

Charleston, South Carolina